



DEPARTMENT OF THE ARMY
UNITED STATES ARMY INTELLIGENCE AND SECURITY COMMAND
FREEDOM OF INFORMATION/PRIVACY OFFICE
FORT GEORGE G. MEADE, MARYLAND 20755-5995

Oct 23 2019

Freedom of Information/
Privacy Office

Mr. Parker Higgins
MuckRock News
DEPT MR 64772
411A Highland Avenue
Somerville, Massachusetts 02144

Dear Mr. Higgins:

This responds to your Freedom of Information/Privacy Act (FOI/PA) request of December 4, 2018, to the Federal Bureau of Investigation (FBI) for a copy of all documents or FBI files pertaining to Aaron Klug, an obit of whom was published in The New York Times on November 30, 2018 under headline "Aaron Klug, 92, Dies, His 3-D \Images of Bodily Molecules Won Novel". The FBI on September 9, 2019, forwarded your request along with records retrieved from their files, to the Department of the Army, Freedom of Information and Privacy Act Office (DA FOIA/PA OFC). The DA FOIA/PA OFC on October 1, 2019 forwarded the request and records to this office for a releasability determination. This correspondence was received in this office on October 9, 2019.

We have completed a mandatory declassification review of the referred documents in accordance with Executive Order (EO) 13526. As a result, it has been determined that the records no longer warrant security classification protection, are partially releasable and enclosed (Encl 1).

Information has been sanitized from the records since the release of that information would result in an unwarranted invasion of the privacy rights of the individuals concerned. This information is exempt from the public disclosure provisions of the FOIA per Title 5 U.S. Code 552 (b)(6).

The withholding of the information described above is a partial denial of your request. This denial is made on behalf Major General Gary W. Johnston, Commanding, who is the Initial Denial Authority for Army intelligence investigative and security records under the Freedom of Information Act and may be appealed to the Secretary of the Army. If you decide to appeal at this time, your appeal must be post marked no later than 90 calendar days from the date of our letter. After the 90-day period, the case may be considered closed; however, such closure does not preclude you from filing litigation in the courts. You should state the basis for your disagreement with the response and you should provide justification for an additional administrative search to be conducted or reconsideration of the denial. An appeal may not serve as a request for additional or new information. An appeal may only address information denied in this response. Your appeal is to be made to this office to the below listed address for forwarding, as appropriate, to the Secretary of the Army, Office of the General Counsel.

Additionally, FBI information is exempt from public disclosure pursuant to Title 5 U.S. Code 552 (b)(3) and (b)(7)(E) of the FOIA.

The withholding of the information by the FBI constitutes a partial denial of your request and you have the right to appeal this decision. If you decide to file an appeal, you should write to the: Director, Office of Information Policy (OIP), U.S. Department of Justice, Suite 11050, 1425 New York Avenue, N.W., Washington, DC 20530-0001, or submit an appeal through OIP's FOIAonline portal by creating an account on the following website: <https://foiaonline.regulations.gov/foia/action/public/home>. Your appeal must be received by OIP within 90 days from the date of this letter in order to be considered timely. The envelope and the letter should be clearly marked "Freedom of Information Appeal." Please cite FBI FOI/PA #1424310-000 assigned to your request so that it may be easily identified.

A copy of this letter has been provided to the FBI (FOIA/PA #1424310-000).

If you have any questions regarding this action, feel free to contact this office at 1-866-548-5651, or email the INSCOM FOIA office at: usarmy.meade.902-mi-grp.mbx.inscom-foia-service-center@mail.mil and refer to case #0023F-20. Please note that you now have the ability to check the status of your request online via the U.S. Army Records Management and Declassification Agency (RMDA) website: <https://www.foia.army.mil/FACTS/CaseStatus.aspx>. Please refer to FOIA Control Number: FP-20-000924. You may also contact the INSCOM FOIA Public Liaison, Mrs. Joanne Benear, for any further assistance and to discuss any aspect of your request at 301-677-7856. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, email at ogis@nara.gov, telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,



Michael T. Heaton
Director
Freedom of Information/Privacy Office
Investigative Records Repository

Enclosure

Explanation of FOIA/PA Exemptions

Subsections of Title 5, United States Code, Section 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute(A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could be reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could be reasonably expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

Subsections of Title 5, United States Code, Section 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

DENIAL APPEAL RIGHTS

On occasion, we remove portions of records that identify our personnel and third parties so as to protect their privacy. We deny release and/or portions of records which are currently and properly classified.

"No record" responses and partial or full denial responses are made on behalf of The Deputy Chief of Staff, G-2, who is the Denial Authority for Army intelligence investigative and security records under the Privacy Act and Major General Gary W. Johnston, Commander, U.S. Army Intelligence and Security Command, who is the Initial Denial Authority for Army intelligence investigative and security records under the Freedom of Information Act and may be appealed to the Secretary of the Army. If you decide to appeal at this time, your appeal must be post marked no later than 90 calendar days from the date of our letter. After the 90-day period, the case may be considered closed; however, such closure does not preclude you from filing litigation in the courts. You should state the basis for your disagreement with the response and you should provide justification for an additional administrative search to be conducted or reconsideration of the denial. An appeal may not serve as a request for additional or new information. An appeal may only address information denied in this response. Your appeal is to be made to this office to the below listed address for forwarding, as appropriate, to the Secretary of the Army, Office of the General Counsel.

Commander
U.S. Army Intelligence and Security Command
Freedom of Information/Privacy Office
(APPEAL)
2600 Ernie Pyle Street, Room 3S02B
Fort George G. Meade, Maryland 20755-5995

UNCLASSIFIED

CONFIDENTIAL

16 February 1953

MEMORANDUM TO: DIRECTOR, FEDERAL BUREAU OF INVESTIGATION
ATTENTION: [REDACTED]

b6

Subject: Klug, Aaron
Suspected Communist-Sympathizer
Infiltration CONSPIRACY

1. Transmitted herewith for your information is a copy of a letter from the Office of the Army Attaché, American Embassy, Pretoria, Union of South Africa, dated 22 January 1953, which furnishes information regarding KLUG, Aaron, and his wife [REDACTED] b6

2. Copy of above letter has been furnished the Immigration and Naturalization Service.

cc: THE ASSISTANT CHIEF OF STAFF, G-2:

1 Incl
Cc ltr dte 23 Jan 53
re KLUG

W. A. PEERY
Colonel, GS
Chief, Security Division

C. P. REED
Major, GS

UNCLASSIFIED

Added UNCLASSIFIED on
10-26-2019
SAINS COM FOIPA
Encl 5, para 1-d, DOD 5200-01-V1

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, Philadelphia

DATE: March 17, 1953

b6

COM : Director, FBI (100-399412)

SUBJECT: AARON KLUG

b3 per FBI
b7E

Attached for your information is a Photostat of a G-2 communication dated 2-16-53, captioned "Klug, Aaron, Suspected Communist-Sympathizer, Information Concerning," together with enclosure dated 1-23-53. You will note in the enclosure that Klug is presently in England, has been offered a research fellowship at the University of Pennsylvania, and plans to come to the United States.

It is requested that appropriate steps be placed by your office and by the Legal Attache, London, England, in order that the Bureau may be advised should Klug come to the United States. You will note that the Immigration and Naturalization Service has been furnished a copy of the enclosure to G-2's communication.

No identifiable derogatory information was located in the files of the Bureau concerning Klug or his wife.

Attachment

b6cc - 2 - Legal Attache, London, England SECRET AIR COURIER
(Attachment)b3 per FBI
b7E**b6****b6**